

REMARKS

Claims 1-29 are rejected as being anticipated by Perlman et al. (United States Patent No. 6,141,693).

Claim 1 recite a network element having a transcoder for transcoding content of a content creator or provider that is presented in a certain form on one type of support terminal, node or device, wherein the transcoder features a transcoder operation module for transcoding the content based on one or more permissible transcoding operations authorized by the content creator or provider so as to present the content in a different and acceptable form on another type of support terminal, node or device. One advantage of the claimed invention is that it allows the content creator or provider to control over how its content is transcoded and presented on the another type of support terminal, node or device.

The rejection is respectfully traversed because Perlman et al. does not teach or suggest a network element having a transcoder with a transcoder operation module for transcoding content based on permissible transcoding operations authorized by a content creator or provider, as recited in claim 1.

Foremost, in contrast to the reasoning set forth in paragraph 19 of the outstanding Office Action, it is respectfully submitted that there is claim language directed to transcoding the content based on permissible transcoding operations authorized by the content creator or provider. In view of this, it is respectfully submitted that it is not understood what is

meant by this remark in paragraph 19 of the outstanding Office Action.

Second, Perlman et al. discloses that the transcoder 66 (Figure 4) performs transcoding operation, for example, by modifying certain documents, file and video data retrieved from a remote server 4 (Figure 1) for the client 1 (Figure 1). Perlman et al., column 6, lines 20-26, describes that "one function of the transcoder 66 is to transcode video streams or video files requested by the client 1 to conform the video files to the hardware and software capabilities of the client 1 and to meet bandwidth constraints of the communications link between the server 5 and the client 1."

However, it is respectfully submitted that none of the transcoding operations performed by the transcoder 66 (Figure 4) in Perlman et al. relates to transcoding the content based on permissible transcoding operations authorized by the content creator or provider, as recited in claim 1. For example, nothing in Perlman et al., including the passages in column 6, lines 8-26 and 30-61, cited in the Office Action, suggests that the content creator or provider (e.g. the remote server 4 (Figure 1)) authorized the permissible transcoding operations performed by the transcoder 66 on the content provided to the client device 1. To the contrary, the remote server 4 (Figure 1) does not appear to have any control over the transcoding operations performed by the transcoder 66 in Figure 4 of Perlman et al. Because of this, the content creator or provider 1 in Perlman et al. cannot

Serial No.: 09/851,527
control how the content is transcoded and presented on the client device 1.

Moreover, in the summary of the invention section, Perlman et al. describes that:

"A video processor is configured to receive auxiliary data corresponding to the video stream, the auxiliary data including the information indicative of at least one video frame of the plurality of video frames. The video processor is further configured to modify the video frame in accordance with the auxiliary data. The video processor uses the received auxiliary data to identify a portion of the at least one video frame, the portion being modified in the act of modifying the video frame, other portions of the at least one video frame not being so modified."

Accordingly, it is respectfully submitted that Perlman et al. relates to broadcasting applications and it does not teach or even hint in any manner that the aforementioned "auxiliary data" could be a content creator provided authorization indicating permissible transcoding operations.

For all these reasons, it is respectfully submitted that Perlman et al. does not teach or suggest the claimed invention.

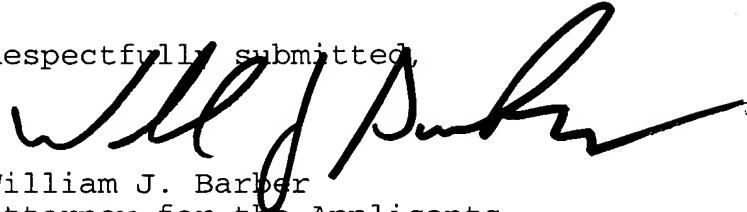
Independent claims 14 and 25 contain similar limitations as claim 1 and are deemed patentable over Perlman et al. for all the same reasons. Moreover, the remaining claims depend directly or indirectly from claim 1, 14 or 25, contain all the limitations thereof, and are deemed patentable over Perlman et al. for all the same reasons.

Serial No.: 09/851,527

Reconsideration and early allowance of the claims is

earnestly requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'William J. Barber', written over the typed name.

William J. Barber
Attorney for the Applicants
Registration No. 32,720

/dap

November 12, 2005

WARE, FRESSOLA, VAN DER SLUYS
& ADOLPHSON LLP

Customer No. 004955

Bradford Green, Building Five

755 Main Street, P.O. Box 224

Monroe, CT 06468

(203) 261-1234